

Serial No.: 09/903,268  
Group Art Unit: 2662  
Examiner: Habte Mered

### REMARKS

Claims 1 through 18 remain in this application.

### Related Applications

Please find below two related applications with a common assignee that we would like to call to the attention of the Examiner:

US Serial No. 09/858,098, entitled, "Optical Shared Protection Ring for Multiple Spans," and filed on May 15, 2001.

US Serial No. 09/858,099, entitled, "Common Protection Architecture for Optical Network," filed on May 15, 2001.

### Claim Rejections under 35 U.S.C. 102

The Examiner rejected claims 1, 3-7, 9-13 and 15-18 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,654,341 to Chi et al. (the Chi reference). However, the Chi reference fails to teach or suggest the requirements of the claims.

Independent Claim 1 and dependent claims 2 through 6

Independent Claim 1 states, "responsive to an indicated span switch on a first ring, passing control information for said first ring over said shared protection channel while indicating availability of the shared protection channel to rings other than said first ring; and responsive to an indication that the shared protection channel is needed to pass communications traffic for a second ring, ceasing to pass the control information for said first ring over said shared protection channel and indicating the non-availability of the shared protection channel to rings other than said second ring." As explained at paragraphs 38 and 39 with respect to Figures 6a and 6b, when a span switch has occurred on a Ring (such as Ring3 in Figure 6a), the shared protection channel 22ab is coupled between the protection channels of Ring3 to pass control information for Ring3. However NR signals are still output to the other rings Ring1 and Ring2 to indicate that if necessary (e.g. due to a ring switch or other failure), the shared protection channel is still available to pass communications traffic.

135740  
Page 6

Serial No.: 09/903,268  
Group Art Unit: 2662  
Examiner: Habte Mered

First, the Chi reference fails to teach the requirement of, "responsive to an indicated span switch on a first ring, passing control information for said first ring over said shared protection channel while indicating availability of the shared protection channel to rings other than said first ring." The Chi reference only describes that traffic is rerouted over the shared protection channel during a ring switch at column 6, lines 14 through 18. It specifically states that the traffic is rerouted through switches 1210 and 1240 and a K-byte ring switch signal is supplied to the switches. Thus, it only discloses a ring switch and thus necessarily does not disclose that control information is passed over the shared protection channel during a span switch. Furthermore, it does not disclose indicating availability of the shared protection channel to other rings when control information is being passed over the shared protection channel. In fact, the Chi reference teaches away from this type of prioritization by stating a first come, first serve basis at column 5, line 65 through column 6, line 1.

Second, the Chi reference fails to teach the requirement of, "responsive to an indication that the shared protection channel is needed to pass communications traffic for a second ring, ceasing to pass the control information for said first ring over said shared protection channel and indicating the non-availability of the shared protection channel to rings other than said second ring." As indicated above, the Chi reference does not pass control information for said first ring over said shared protection channel during a span switch.

Therefore, the Chi reference fails to disclose each and every element of claim 1 and thus, does not render the claims unpatentable under 35 U.S.C. 102.

Independent Claim 7 and dependent claims 8 through 12

The Chi reference fails to disclose, *inter alia*, the requirement of, "passing control information for a first ring over said shared protection channel while indicating availability of the shared protection channel to rings other than said first ring, responsive to an indicated span switch on a first ring." The Chi reference only describes that traffic is rerouted over the shared protection channel during a ring switch at column 6, lines 14 through 18. It specifically states that the traffic is rerouted through switches 1210 and 1240. Thus, it does not disclose that

135740  
Page 7

Serial No.: 09/903,268  
Group Art Unit: 2662  
Examiner: Habte Mered

control information is passed over the shared protection channel during a span switch. Furthermore, it does not disclose indicating availability of the shared protection channel to other rings when control information is being passed over the shared protection channel. In fact, the Chi reference teaches away from this type of prioritization by stating a first come, first serve basis at column 5, line 65 through column 6, line 1.

Independent Claim 13 and dependent claims 14 through 18

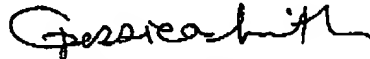
The Chi reference fails to disclose the requirement in claim 13, *inter alia*, of, "circuitry for passing control information for a first ring over said shared protection channel while indicating availability of the shared protection channel to rings other than said first ring, responsive to an indicated span switch on a first ring." The Chi reference only describes that traffic is rerouted over the shared protection channel during a ring switch at column 6, lines 14 through 18. It specifically states that the traffic is rerouted through switches 1210 and 1240. Thus, it does not disclose that control information is passed over the shared protection channel during a span switch. Furthermore, it does not disclose indicating availability of the shared protection channel to other rings when control information is being passed over the shared protection channel. In fact, the Chi reference teaches away from this type of prioritization by stating a first come, first serve basis at column 5, line 65 through column 6, line 1.

Serial No.: 09/903,268  
Group Art Unit: 2662  
Examiner: Habte Mered

For the above reasons, the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact Jessica Smith at (972) 477-9109.

Respectfully submitted,

ALCATEL

  
Jessica W. Smith  
Reg. No. 39,884

Dated: April 25, 2005

Alcatel USA  
Intellectual Property Department  
3400 W. Plano Parkway, M/S LEGL2  
Plano, TX 75075  
Phone: (972) 477-9109  
Fax: (972) 477-9328